

Regulation of Sales Bill.

Mr. K. T. Mathew.—I move for leave to introduce the Cochin Regulation of Sales Bill.

Mr. T. A. Ramachandra Ayyar.—I second it.

Motion put and carried.

Resolutions.

As the following resolutions were not moved they were considered withdrawn.

Mr. P. Kumaran Ezhuthassan.—*This Council recommends that in view of the small and uniform grade of pay fixed for typists irrespective of service the Government may be pleased to place typists of 15 years standing or more in the same grade as that of second grade clerks on Rs. 40 to 60 per mensem.*

2. **Mr. George Chakyamuri.**—*This Council recommends the Government that the pay of the District Superintendent of Police be raised to the level of the pay of the Assistant Engineers.*

3. **Mr. K. Ayyappan.**—*This Council recommends to the Government to carry out their proposal to appoint a Service Commission without any more delay.*

8. Auction sales of lands.

Mr. Joseph Pettah.—*This Council recommends to the Government that the auction sales of lands for recovering of land revenue arrears or debts due to private creditors, be conducted as a rule in the village office in the jurisdiction of which the property concerned is situated.*

This resolution seeks for a modification of the existing system of auction sales in connection with the recovery of Land Revenue arrears. The modifications suggested in the interests of poor agriculturists with a view that they get a better price in the auction sales. As it is all the sales generally take place in the taluk office and often times far away from the villages where the properties concerned are situated. Now it is evident that it is only neighbours of the properties concerned will be prepared to bid and will be prepared to give better prices than people far away. There is always the consideration of neighbourhood which prompts them to give high price for the properties. But such people could not go to the Taluk Office and very often it is not known. There may be a notification in the Gazette or in the Taluk office. What happens is this. There are a few people who may be considered as a professional sort of bidders. They bid properties for small amounts and thus make a profit. I think it is not difficult for the Government to make such a change and I expect that the Government would accept the resolution which seeks to create no difficulty for them, but at the same time only

seeks to help the poor agriculturists. We might even include a modifying clause that auction sales of land for land revenue arrears be as far as possible conducted at places where the properties are situated. In exceptional cases when it is found to be impossible on account of the exigencies of time and other circumstances you may do it as it is done now. As a rule auction sales may be conducted in the village offices in the jurisdiction of which the property concerned is situated. This would be a great relief to the poor agriculturists. I therefore commend this resolution for the acceptance of the House.

Mr. A. Eachara Menon.—I second the resolution.

Mr. K. Achyuta Menon.—In the form in which it is now moved that as far as possible auction sales of lands for recovery of arrears of land revenues should be conducted in the village offices I do not think we have reasonable ground for opposition. Orders might be issued to conduct those sales as a rule in the village offices; with liberty to hold sales elsewhere only in exceptional circumstances. As regards the second part of the resolution namely debts due to private creditors I may point out that so far as my department is concerned the only other debt for which lands are sold by my department is for the recovery of co-operative decrees. Otherwise sale for private debts are conducted only through the agency of courts and we have no power to interfere or regulate the court sales. I think it would be better for the Hon'ble Mover to agree to delete the latter part of the resolution, which relates to debts due to private creditors.

Mr. Joseph Pettah.—I understand that there is a similar procedure in Travancore. If it is conveniently done in Travancore then why not we adopt it here also?

Mr. K. Achyuta Menon.—My submission is that the whole Civil Procedure Code will have to be amended. The whole scheme is different here.

Mr. M. A. Chakko.—I have to draw the attention of the mover with regard to sales in village offices. They should be conducted by the Tahsildars and not by the Parvathiakaran.

Mr. K. Achyuta Menon.—Even now no power is vested in the Parvathiakaran with regard to sales. They are conducted by the Tahsildars themselves.

Mr. A. Sankara Menon.—With regard to the practice in Travancore I do not think that my friend is properly instructed. The actual sales take place in the Courts but a preliminary sale takes place in the village. Here also, if a particular party puts in an application to have the sale conducted at the place where the property is situated it is generally allowed. But if any case the confirmation is done in the Court itself.

Mr. Joseph Pettah.—In that case I have no objection in having that particular portion deleted. With the permission of the chair I may be allowed to delete the words “or of debts due to private creditors.”

President.—Yes.

Mr. K. Achyuta Menon.—Government accept the resolution that as far as possible sales will be conducted in the respective villages in which the properties are situated.

As the following resolutions were not moved they were considered withdrawn.

Mr. K. T. Mathew.—*This Council recommends to the Government to embark upon a successful scheme of rural re-construction.*

Mr. P. Raman Menon.—*This Council recommends to the Government to constitute a section in the Huzur Office for collection of statistics relating to the economical and industrial condition of the State and to publish such information periodicaly.*

Mr. T. K. Nayar.—*In view of the recent strike in the Sitaram Spinning and Weaving Mills, Ltd., at Trichur and of the happenings in the Nelliampathy Plantations, this Council recommends to the Government to appoint a Labour Inspector under the District Magistrate or the Commissioner of Police to inspect all the Factories, Estates, Plantations, etc., at least once in a month to know the condition of the labourers and their treatment by their employers and with a view to take timely steps to avert the unhappy occurrence of strike, etc.*

9. Extension of Kistbandi to six equal kists.

Mr. A. Eachara Menon.—*This Council recommends to the Government the absolute necessity of extending the kistbandi to six equal kists.*

Sir, the land tax is now collected in the months of Thulam, Vrischigam and Dhanu. The paddy will not be ready for sale in the month of Thulam. So if the whole tax is collected in two kists the rate-payers will be put to very great difficulty. In Dhanu there will be no paddy. So my request is to extend the kist to six instalments.

Mr. C. N. Ittiravi Nambudiri.—I second it.

Mr. K. Achyuta Menon.—Sir, I think I will have to explain to the members of this House in some detail how this tax is being collected under the scheme of kistbandy adopted by our Government. Our present system of collection of assessment on compounded double crop lands is to realise their kist in the months of Thulam, Vrischigam and Dhanu. There can be no difficulty with respect to the one crop, namely, Viruppu lands,